

REMARKS

Claims 11 and 21 have been amended. Claims 11 – 19 and 21 - 30 are currently pending in the present application.

In the Office Action, claims 11 – 19 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Also, in the Office Action, claims 11-13, 15, 17, 20-23, 25, 27, and 30 are rejected under 35 U.S.C. 102 (b) as being anticipated by Becke DE 196 33 975. Additionally, in the Office Action, claims 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Becke DE 196 33 975 in view of Stich US Patent No. 4,829,653. Furthermore, in the Office Action, claims 16, 18-19, 26, and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Becke DE 196 33 975 in view of Falk US Patent No. 4,735,470.

Applicant thanks the Examiner for the opportunity to discuss the present application on October 21, 2008. During that discussion, the Examiner provided helpful suggestions for amending claim 11 of the present application to cure the indefiniteness rejection of claims 11 – 19. Claim 11 has now been amended to clarify that the present invention is directed to a storage compartment of a refrigeration device. Also, during that discussion, it was agreed that Applicant would submit a claim directed to a storage compartment of a refrigerator having a specific spigot configuration. Applicant has amended claim 21 of the present application to now recite this specific spigot configuration.

Claim 11 has now been amended to clarify that the present invention is directed to a storage compartment of a refrigeration device. Accordingly, through

this amendment, it is believed sufficient reasons have been given to enable the Examiner to withdraw the 35 U.S.C. § 112, second paragraph, rejection.

Favorable reconsideration of the rejections of claims 11 – 19 and 21 - 30 under 35 U.S.C. § 102(b) and 35 U.S.C. 103(a) is respectfully requested in view of the amendment of claim 11 and the following comments.

Independent Claim 11 recites, among other things, "a frame including at least two elongated arms located at a fixed distance from one another forming an intermediate space therebetween, said arms each having one end connected to a common anchoring portion mounted to an inner side of a door of the refrigeration device."

Becke DE 196 33 975 discloses a thermally insulated door 10 and a height adjustable carrying frame 20. The carrying frame 20 includes two parallel sections 27 connected to two parallel sections 26 forming a rectangle. Parallel sections 27 include structure for mounting the carrying frame 20 to the door 10. Storage structures 30 removably attach to the carrying frame 20. Becke DE 196 33 975, English Abstract, Fig. 1.

The parallel sections 27 independently mount to the door 10 and are not connected to "a common anchoring portion mounted to an inner side of a door," as required by amended Claim 11.

Falk US Patent No. 4,735,470 discloses a combination slidable food storage assembly 30 disposed beneath a shelf assembly 20 including a shelf 21 and pair of brackets 22 separated by a pair of transverse bars 36. The brackets 22 are suspended from vertically extending apertured support bars 24 mounted on a rear wall 26 of a food storage compartment 14. The storage assembly 30 includes a frame 40 and a plurality of containers 41. "The frame 40 includes

spaced parallel side wall portions 48 and interconnecting rear and front wall portions 50 and 52 respectively." The frame 40 is slidably supported on the brackets 22. Falk US Patent No. 4,735,470, col. 2, line 26 to col. 3, line 7; Fig. 4.

Similar to Becke DE 196 33 975, the brackets 22 of Falk US Patent No. 4,735,470 mount independently to a compartment 14 (via support bars 24), and, therefore, are not connected to "a common anchoring portion mounted to an inner side of a door," as required by amended Claim 11.

Stich US Patent No. 4,829,653 fails to remedy the deficiencies of Becke DE 196 33 975 or Falk US Patent No. 4,735,470, as Stich US Patent No. 4,829,653 merely discloses an unrelated refrigerator holder arrangement.

Accordingly, independent Claim 11 is allowable. Claims 12-19 depend from Claim 11 and are allowable for the same reasons, and also because they recite additional patentable subject matter.

Independent Claim 21 recites, among other things, "a body having an interior refrigerating compartment; said compartment including at least one wall and at least two fixing spigots mounted thereon; a storage compartment mountable on said fixing spigots; said storage compartment including a frame having at least two elongated arms located at a fixed distance from one another forming an intermediate space therebetween, said arms each having one end connected to a common anchoring portion configured to mount on the fixing spigots."

As set forth above with respect to Claim 11, neither Becke DE 196 33 975 nor Falk US Patent No. 4,735,470, disclose "arms each having one end connected to a common anchoring portion," as required by amended Claim 21. Accordingly, independent Claim 21 is allowable. Claims 22-30 depend from

Claim 21 and are allowable for the same reasons, and also because they recite additional patentable subject matter.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claims 11-19 and 21-30 are respectfully requested. If the Examiner has any questions regarding this Amendment, the Examiner is requested to contact the undersigned.

Respectfully submitted,



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